

REMARKS

Summary of the Office Action

The title of the invention is not descriptive and a new title is required.

The specification stands objected to because of informalities and failing to provide proper antecedent basis for the claimed subject matter of ultraviolet-hardening resin in claim 33.

Claims 6, 15, 21 and 29 stand objected to because of informalities.

Claims 5, 14 and 28 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Claims 1, 2, 4-6, 9-11, 13-15, 18, 19-21 and 25-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (hereinafter "AAPA") and further in view of Yang et al. (U.S. Patent No. 6,383,048) (hereinafter "Yang").

Claims 3, 12 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Nakaya et al. (U.S. Patent No. 6,172,458) (hereinafter "Nakaya").

Claims 7, 8, 16, 17, 23 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gledhill et al. (U.S. Patent No. 6,180,176) (hereinafter "Gledhill").

Summary of the Response to the Office Action

Applicants have amended the title of the invention and the specification. Also, Applicants have amended claims 1, 3, 5-6, 14-15, 19, 26, 28-29 and 33. Moreover, Applicants

have canceled claim 2 without prejudice or disclaimer. Accordingly, claims 1 and 3-33 remain pending for further consideration.

Title and Specification

The Office Action indicates that the title of the invention is not descriptive and a new title is required, and also objects to the specification because of informalities and failing to provide proper antecedent basis for the claimed subject matter of ultraviolet-hardening resin in claim 33.

Applicants have amended the title of the invention to be more descriptive. Furthermore, Applicants have amended the specification to improve its form, in accordance with the Examiner's comments. Moreover, Applicants have amended claim 33 so that the specification is able to provide proper antecedent basis for the claimed subject matter of claim 33. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

The Objection to Claims 6, 15, 21 and 29

The Office Action objects to claims 6, 15, 21 and 29 because of informalities. Applicants have amended claims 6, 15, 21 and 29 to improve their form, in accordance with the Examiner's comments. Accordingly, it is respectfully requested that the objection to claims 6, 15, 21 and 29 be withdrawn.

The Rejection under 35 U.S.C. §112, first paragraph

The Office Action rejects claims 5, 14 and 28 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not enabling.

While Applicants do not concede to the rejection, Applicants have amended claims 5, 14 and 28 in accordance with the Examiner's comments to facilitate allowance of the present application. Applicants respectfully submit that claims 5, 14 and 28, as newly-amended, fully comply with the enablement requirement. Accordingly, it is respectfully requested that the rejection to claims 5, 14 and 28 under 35 U.S.C. §112, first paragraph, be withdrawn.

The Rejections under 35 U.S.C. § 103(a)

The Office Action rejects claims 1, 2, 4-6, 9-11, 13-15, 18, 19-21 and 25-33 under 35 U.S.C. §103(a) as being unpatentable over AAPA and further in view of Yang, rejects claims 3, 12 and 22 under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Nakaya, and rejects claims 7, 8, 16, 17, 23 and 24 under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gledhill.

Since Applicants have canceled claim 2, the rejection of claim 2 has been rendered moot.

With regard to independent claim 1, as newly amended, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of "the protective film has a multi-layer structure of at least a moisture-absorbing layer and a moisture-proof layer."

The Office Action on the page 8 concedes that AAPA and Yang fail to disclose a protective film having single-layer or multi-layer structure of moisture absorbing or moisture-proof layer but alleges that Nakaya at lines 13-25 of column 7 discloses such a protective film. Applicants respectfully disagree. Applicants respectfully submit that the cited portion of Nakaya only discloses the thickness of the protective film but neither teaches nor suggests that such a

protective film has a “multi-layer structure,” as recited in the newly-amended independent claim 1.

For similar reasons, with regard to claim 3, as newly amended to be independent claim, Applicants respectfully submit that since Nakaya does not cure the deficiencies of AAPA and Yang, the three applied references of AAPA, Yang and Nakaya, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a protective film formed between the seal cover plate and the heat-exhausting layer wherein the protective film has a single-layer structure of a moisture-absorbing layer or a moisture-proof layer.”

With regard to independent claim 10, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a heat-exhausting layer formed on the seal cover plate.”

The Office Action on the page 5 concedes that AAPA and Yang fail to disclose “a heat exhausting layer formed on the seal cover plate,” as recited in independent claim 10, but alleges that “[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the heat exhausting layer on the seal cover plate, since it has been held that rearranging parts of the invention involves only routine skill in the art.” Applicants respectfully disagree. Applicants respectfully submit that there is no motivation taught or suggested by AAPA and Yang to rearrange the heat exhausting layer on the seal cover plate to obtain the claimed device. MPEP § 2143.01 instructs that “[a]lthough a prior art device ‘may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.’” Applicants respectfully submit that the cited references, whether taken singly or combined, do not provide such a suggestion or motivation, and therefore

do not teach or suggest “a heat-exhausting layer formed on the seal cover plate,” as recited in independent claim 10. Thus, Applicants respectfully submit that the Office Action has not established a prima facie case of obviousness.

For the similar reasons set forth above, with regard to independent claim 19, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a heat-exhausting layer formed on the protective film.”

With regard to independent claim 26, as newly-amended, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a metal thin film provided under the seal cover plate to smoothly transfer heat.”

The Office Action on the pages 6 and 7 concedes that AAPA does not disclose a metal thin film provided on the seal cover plate, but alleges that Yang at lines 55-60 of column 4 and in Fig. 3D discloses a covering layer 40 deposited on the heat dissipating layer. However, unlike Yang, Applicants respectfully submit that the instant application, as described at [0071] of the specification and further illustrated in Fig. 6, a metal thin film 14 adheres under the seal cover plate but not on the seal cover plate. Accordingly, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest “a metal thin film provided under the seal cover plate to smoothly transfer heat,” as recited in newly-amended independent claim 26.

Therefore, Applicants respectfully assert that the rejections of claim 3, as newly amended to be independent claim, and independent claims 1, 10, 19 and 26 under 35 U.S. C. § 103(a) should be withdrawn because the all cited references, whether taken singly or combined, do not

teach or suggest at least the above cited features. As pointed out in MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)." Furthermore, Applicants respectfully assert that the rejections of dependent claims 4-9, 11-18, and 27-33 under 35 U.S. C. § 103(a) should be withdrawn at least because of their dependencies upon the respective independent claim 1, as newly-amended, and independent claims 10, 19 and 26, and for the reasons set forth above.

With no other rejection pending, Applicants respectfully submit that claims 1, and 3-33 are in condition for allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

Applicants respectfully request an one month extension. Please charge our Deposit Account No. 50-0310 the amount of \$194.00 representing \$110.00 for one month extension fee and \$84.00 for an additional independent claim fee.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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